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13 Attorneys for Defendants  
UBER TECHNOLOGIES, INC.  
14 and OTTOMOTTO LLC

15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,  
19 Plaintiff,  
20 v.  
21 UBER TECHNOLOGIES, INC.,  
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,  
23 Defendants.  
24

Case No. 3:17-cv-00939-WHA

**DECLARATION OF  
MICHELLE YANG IN SUPPORT OF  
DEFENDANTS' ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL  
THEIR OPPOSITION TO WAYMO'S  
MOTION TO COMPEL  
PRODUCTION OF DOCUMENTS  
AND RESPONSES TO EXPEDITED  
INTERROGATORIES AND  
EXHIBITS THERETO**

1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this  
3 declaration based upon matters within my own personal knowledge and if called as a witness, I  
4 could and would competently testify to the matters set forth herein. I make this declaration in  
5 support of Defendants' Administrative Motion to File Under Seal Their Opposition to Waymo's  
6 Motion to Compel Production of Documents and Responses to Expedited Interrogatories and  
7 Exhibits Thereto.

8 2. I have reviewed the following documents and confirmed that only the portions  
9 identified below merit sealing:

Document	Portions to Be Filed Under Seal	Designating Party
Opposition to Waymo's Motion to Compel ("Opposition")	Highlighted Portions	Plaintiffs
Exhibits 1-3	Entire Documents	Plaintiffs
Exhibit 5	Highlighted Portions	Defendants
Exhibit 6	Highlighted Portions	Defendants

17  
18 3. The highlighted portions of the Opposition and the entireties of Exhibits 1, 2, and  
19 3 were designated "Highly Confidential – Attorneys' Eyes Only" by Waymo in accordance with  
20 the Patent Local Rule 2-2 Interim Model Protective Order ("Protective Order"), which the parties  
21 have agreed governs this case (Transcript of 3/16/2017 Hearing, page 6). Defendants file this  
22 material under seal in accordance with Paragraph 14.4 of the Protective Order.

23 4. The highlighted portions on page 6 of Exhibit 5 contain highly confidential  
24 information regarding business agreement terms, including information about the structure of a  
25 business agreement. This highly confidential information is not publicly known, and their  
26 confidentiality is strictly maintained. If this information were to be released to the public,  
27 Defendants' competitors and counterparties would have insight to how Defendants structured its  
28

1 business agreements, which would allow them to tailor their own business negotiation strategy. I  
 2 understand that Defendants' competitive standing could significantly be harmed.

3 5. The highlighted portions on page 4 of Exhibit 6 contain highly confidential  
 4 information regarding financial and compensation terms. This information is not publicly known,  
 5 and their confidentiality is strictly maintained. I understand that this information could be used  
 6 by competitors to Uber's detriment, by using this information to gain an advantage over Uber in  
 7 employment negotiations in a competitive market for talent. Disclosure of this information would  
 8 allow competitors to tailor their employment offers during negotiations. If such information were  
 9 made public, I understand Uber's competitive standing could be significantly harmed.

10 6. Defendants' request to seal is narrowly tailored to those portions of the Opposition  
 11 and its supporting exhibits that merit sealing.

12 I declare under penalty of perjury that the foregoing is true and correct. Executed this  
 13 14th day of July, 2017 at San Francisco, California.

14  
 15 /s/ Michelle Yang

Michelle Yang

16  
 17  
 18 **ATTESTATION OF E-FILED SIGNATURE**

19 I, Arturo J. González, am the ECF User whose ID and password are being used to file this  
 20 Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has  
 21 concurred in this filing.

22 Dated: July 14, 2017

23 /s/ Arturo J. González

Arturo J. González